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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,194	10/20/2003	Triveni P. Shukla	00030-001	4436

7590 01/09/2006

Timothy J. Fullin  
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Libertyville, IL 60048

EXAMINER
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TRAN LIEN, THUY

ART UNIT	PAPER NUMBER
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1761

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO. 10/689194	FILING DATE 10/20/2003	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION TRIVENI P. SHUKLA	ATTORNEY DOCKET NO. 00030-001
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## EXAMINER

LIEN TRAN

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0106

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## Commissioner for Patents

The reply filed on 10/17/05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): In response to the office action mailed on 11/30/04, applicant submitted an amendment on 2/26/05; this amendment amended the claims to delete the limitation "wherein the dietary fiber gel comprises insoluble dietary fiber". However, the amendment was not proper and a notice of non-compliance was mailed on 8/24/05. In response to the notice, applicant submitted another amendment on 8/24/05; however, the amendment was not proper and another notice of non-compliance was mailed on 9/14/05. In response to this notice, applicant submitted another amendment on 10/17/05 in which the limitation of "wherein the dietary fiber gel comprises insoluble dietary fiber" was inserted. However, in applicant remark which was filed on 2/26/05, applicant states that the claims have been amended to delete the limitation that was added in the Sept. 2, 2004 amendment. Thus, it is not clear which set of amendment applicant desires to be examined because the latest set of amendment filed 10/17/05 was not consistent with applicant's remark filed on 2/26/05 because the objectionable limitation is added back in. Clarification is requested as to which set of amendment is to be examined because there are inconsistencies among the amendments and applicant's remark. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lien T. Tran whose telephone number is 571-272-1408. The examiner can normally be reached on Tuesday, Thursday-Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cano Milton can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 5, 2006

*Lien Tran*  
LIEN TRAN  
PRIMARY EXAMINER  
*Chou 1700*

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